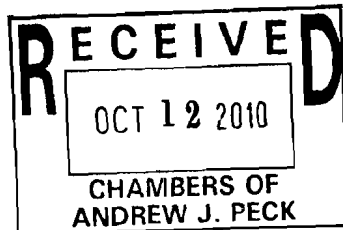


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## VIA FACSIMILE

Honorable Andrew J. Peck, U.S.M.J.  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Douglas Graham v. Mario Kranjac, Esq.  
09-CV-10166 (BSJ)(AJP)

Dear Judge Peck:

As you know, we represent defendant Mario Kranjac in connection with this matter. We write in response to Mr. Furman's stunning misremembrance about what has transpired. What Mr. Furman fails to advise the court is that I tried, three different times, to speak with Mr. Furman about this issue to handle this as professionals but he chose instead to write self serving emails and letters.

The fact that it took us a few weeks to address his inflated fees for a deposition that was canceled after twenty minutes was only a testament to the fact that we were busy negotiating a resolution in the underlying matter with Mr. Byrne, a resolution which ultimately disposed of the outstanding potential claims that existed against Mr. Furman's clients. When I tried to speak with him about that issue, he ignored that request as well, clearly in contravention of the Sedona Conference tenets that are required to be followed by Your Honor.

We are only trying to work out an issue regarding costs for a cancelled deposition. The delay was very short and for good reason. Counsel's impatience is astonishing given the windfall that his clients have received by having an entire potential malpractice lawsuit settled without their being made a party.

Respectfully submitted,

GORDON & REES LLP

Christopher B. Block

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cc: *via facsimile only*  
D. Andrew Byrne, Esq.  
A. Michael Furman, Esq.